

1 **William D. Whiteman, SBN 100469**
2 **LAW OFFICES OF WILLIAM D. WHITEMAN**
3 **4 Embarcadero Center, 17th Floor**
4 **San Francisco, CA 94111**
5 **Telephone: (415) 989-3300**
6 **Facsimile: (415) 963-4131**
7 **Email: wwhiteman@wdwlawoffices.com**

8 **Attorneys for Defendants**
9 **Pamela Benjamin and Rene Taylor**

10
11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 **MANHATTAN LIFE INS. CO.**

No. C-13-0822LB

15 **Plaintiff**

SUPPLEMENTAL
STIPULATION AND ~~PROPOSED~~
SUPPLEMENTAL ORDER
DISTRIBUTING ADDITIONAL
INTERPLED FUNDS

16 **v.**

17 **DANIEL GARCIA et al.,**

18 **Defendants.**
19 _____/

20 Defendant Daniel Garcia, on the one hand, and Defendants Pamela Benjamin and Rene
21 Taylor, on the other hand, stipulate and agree as follows:

22 WHEREAS, the Court entered an Order on October 10, 2013 concerning the distribution
23 of \$92,500 interpled in this case; and

24 WHEREAS, it was later determined that there were additional funds, over and above the
25 amount covered by the October 10, 2013 Order, which also needed to be distributed; and

26 WHEREAS those additional funds include the amount of \$2,128.67 as well as accrued
27 interest, both of which need to be distributed,
28

SUPPLEMENTAL STIPULATION AND ~~PROPOSED~~ SUPPLEMENTAL ORDER
DISTRIBUTING ADDITIONAL INTERPLED FUNDS

NOW THEREFORE, THE DEFENDANTS STIPULATE AS FOLLOWS:

1. That the Court shall order the Clerk to promptly issue payment of 62.162% of the additional funds (including \$2,128.67 plus accrued interest) on behalf of Defendant Daniel Garcia payable to the trust account of his attorneys of record, Geary, Shea, O'Donnel, Grattan & Mitchell, P.C.

2. That the Court shall order the Clerk to promptly issue payment of 37.838% of the additional funds (including \$2,128.67 plus accrued interest) on behalf of Defendants Pamela Benjamin and Rene Taylor, jointly, payable to the trust account of their attorneys of record, Law Offices of William D. Whiteman.

IT IS SO STIPULATED:

Law Offices of William D. Whiteman

Dated: October 25, 2013

BY: _____/s/_____

**William D. Whiteman
Attorneys for Defendants
Benjamin and Taylor**

Geary, Shea, O'Donnel, Grattan & Mitchell, P.C.

Dated: October 25, 2013

BY: _____/s/_____

**Raymond J. Fullerton
Attorneys for Defendant Garcia**

ATTESTATION OF E-FILED SIGNATURE

I, William D. Whiteman, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order Distributing Interpled Funds. In compliance with Local Rule 5-1(i)(3) I hereby attest that Raymond J. Fullerton, attorney for Defendant Daniel Garcia, has concurred in this filing.

Law Offices of William D. Whiteman

Dated: October 25, 2013

BY: _____/s/_____

**William D. Whiteman
Attorneys for Defendants
Benjamin and Taylor**

~~PROPOSED~~ ORDER

Pursuant to the Stipulation of the Defendants herein, IT IS HEREBY ORDERED that the Clerk of Court shall disburse the sum of (1) the \$2,128.67 balance of the funds interpled in this case, plus (2) any accrued interest, and shall issue checks as follows:

1. A check in the sum of 62.162% of said sum on behalf of Defendant Daniel Garcia payable to "Geary, Shea, O'Donnel, Grattan & Mitchell, P.C. Trust Account" and mailed to Garcia's attorney of record Raymond J. Fullerton, Jr. at said firm located at 37 Old Courthouse Square, Fourth Floor, Santa Rosa, CA 95404.

2. A check in the sum of 37.838% of said sum on behalf of Defendants Pamela Benjamin and Rene Taylor, jointly, payable to "Law Offices of William D. Whiteman Trust Account" and mailed to Benjamin's and Taylor's attorney of record William D. Whiteman at said firm located at 4 Embarcadero Center, 17th Floor, San Francisco, CA 94111.

3. Said checks shall be mailed within thirty (30) days of the date of this Order.

IT IS SO ORDERED.

Dated: October 30, 2013


THE HONORABLE LAUREL BEELER
United States Magistrate Judge